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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/396,423	09/15/1999	KAORU UCHIDA	072982-0191	7427

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EXAMINER
MAHMOUDI, HASSAN

ART UNIT	PAPER NUMBER
2175	6

DATE MAILED: 07/31/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

PPS

Office Action Summary	Application No.	Applicant(s)	
	09/396,423	UCHIDA, KAORU	
	Examiner	Art Unit	
	Tony Mahmoudi	2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-15* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,9,10 and 15* is/are rejected.

7)☒ Claim(s) *5-8 and 11-14* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a) ☐ The translation of the foreign language provisional application has been received.

15)☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

DOV POPOVICI
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TECHNOLOGY CENTER 2100

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *3,4,5* .
4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: .

DETAILED ACTION

Claim Objections

1. Claims 5-8 and 11-14 are objected to because of the following informalities:

In claims 5 and 6, line 8, "a instruction" should be changed to --an instruction--. Correction is required.

Claims 7, 11, and 13 are objected to because they are dependents from the objected to dependent claim 5.

Claims 8, 12, and 14 are objected to because they are dependents from the objected to dependent claim 6.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1-4, 9-10, and 15 is rejected under 35 U.S.C. 102(e) as being anticipated by Black (U.S. Patent No. 6,5,39,101.)

As to claim 1, Black teaches an information processing method using fingerprint identification (see Abstract) comprising the steps of:

identifying user according to an inputted fingerprint (see column 1, lines 30-35, and see column 9, lines 8-22);

preserving user's individual information associated with the user regarding a device in every identified user at the time when the user suspends use of the device which the user uses (see column 5, lines 19-64); and

selecting the user's individual information corresponding to identified user, which is preserved, to provide for the user when the user resumes use of the device (see column 23, lines 15-22.)

As to claims 2 and 4, Black teaches wherein the user's individual information (see column 5, lines 19-64) includes any of work progressive information, work environmental information, and work historical information of the user who uses the device (see column 5, lines 19-31.)

As to claim 3, Black teaches an information processing device using fingerprint identification (see Abstract) comprising:

a fingerprint image input means for acquiring fingerprint image of a user (see figures 1B, 2A, 2B, 3A,and 3B) to output the fingerprint image to a fingerprint feature extraction means (see column 9, line 8 through column 10 line 31);

a suspension / resumption management means accepting instruction either suspension or resumption of use of the device from the user to output the instruction either suspension or resumption to a fingerprint feature extraction means and a user individual information storage means (see column 12, lines 12-31, where "suspension/resumption" is read on "grant or deny access");

the fingerprint feature extraction means (see column 9, lines 66 through column 10, line 2) receiving the fingerprint image from the fingerprint image input means (see figures 3A and 3B), before extracting fingerprint feature from the fingerprint image, when received instruction from the suspension / resumption management means is suspension, outputting the fingerprint feature to the user individual information storage means (see column 15, lines 3-10), while when received instruction from salt suspension / resumption management means is resumption (see column 12, lines 12-31, where "suspension/resumption" is read on "grant or deny access"), outputting the fingerprint feature to a fingerprint matching means (see column 10, lines 61-67);

a user individual information storage means (see column 15, lines 3-10) storing therein the fingerprint feature received from the fingerprint feature extraction mean associated with the user's individual information regarding the device when instruction received from the suspension / resumption management means is suspension (see column 9, lines 23-35), while when instruction received from the suspension / resumption management means is

resumption outputting still stored fingerprint feature (hereinafter referring to registered fingerprint feature) group to receive matching result from fingerprint matching means (see column 10, lines 61-67), subsequently, selecting fingerprint feature from inside of registered fingerprint feature group according to salt matching result, thus selecting the user's individual information associated with selected the fingerprint feature in order to output to user individual information processing means (see column 23, lines 15-22);

a fingerprint matching means (see column 10, lines 61-67) receiving the registered fingerprint feature group from the user individual information storage means before implementing matching processing between the registered fingerprint feature group and fingerprint feature received from the fingerprint feature extraction means, thus outputting matching result to the user individual information storage means (see column 19, lines 49-58); and

a user individual information processing means receiving the user's individual information from the user individual information storage means, before implementing specific processing in answer to content of the user' individual information (see column 15, lines 35-57.)

As to claims 9-10, Black teaches wherein the information processing device using fingerprint identification (see column 15, lines 35-57) is any of an electronic picture book device, a game device, and a retrieval device (see figure 17B, and see column 5, lines 8-18.)

As to claim 15, Black teaches a storage medium (see column 28, lines 57-61) stored therein a computer implemented information processing program using fingerprint identification (see Abstract) comprising the steps of:

a step for identifying user according to inputted fingerprint (see column 1, lines 30-35, and see column 9, lines 19-22);

a step for accepting instruction of either suspension or resumption (see column 12, lines 12-31, where "suspension/resumption" is read on "grant or deny access");

a step for storing the user's individual information regarding a device into which the program is installed associated with the user in the case of reception of instruction of suspension in every identified user (see column 15, lines 3-10); and

a step for selecting to be provided the individual information corresponding to identified user in the case of reception of instruction of resumption from the inside of user's individual information stored previously (see column 23, lines 15-22.)

Allowable Subject Matter

4. Claims 5-8 and 11-14 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

5. The following is a statement of reasons for the indication of allowable subject matter:

The prior art of record, Black (U.S. Patent No. 6,539,101), Teitelbaum et al (U.S. Patent No. 5,848,231), and Price-Francis (U.S. Patent No. 5,815,252), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein the suspension / resumption management means outputs the instruction of either suspension or resumption to also an indication information management means in addition to the fingerprint feature extraction means and the user individual information storage means, and the user individual information processing means is provided with:

an instruction input means accepting an instruction of operation of the device from the user in order to output instruction of the operation to the indication information processing means;

a presentation information management means storing therein management information of information to be presented for the user, in order to output the management information while updating the management information in answer to instruction of the operation to presentation means when receiving instruction of the operation from the instruction input means

a presentation means receiving the management information from the presentation information management means, before acquiring information to be presented. for the user from the device data storage means according to the management information in order to present; and

a device data storage means storing therein information which the device should maintain,

when the presentation information management means receives instruction of suspension from the suspension / resumption management means, outputting the management information to the user individual information storage means, while when the presentation information management means receives instruction of resumption from the suspension / resumption management means, updating storage content according to the management information received from the user individual information storage means, as claimed in claim 5.

Claims 7, 11, and 13 are objected to as being dependent from the objected to dependent claim 5.

The prior art of record, Black (U.S. Patent No. 6,539,101), Teitelbaum et al (U.S. Patent No. 5,848,231), and Price-Francis (U.S. Patent No. 5,815,252), do not disclose, teach, or suggest the claimed limitations of (in combination with all other features in the claim):

wherein the suspension / resumption management means outputs the instruction of either suspension or resumption to also an indication information management means in addition to the fingerprint feature extraction means and the user individual information storage means, and the user individual information processing means is provided with:

an instruction input means accepting an instruction of operation of the device from the user in order to output instruction of the operation to the indication information processing means;

a presentation information management means storing therein management information of information to be presented for the user, in order to output the management information while updating the management information in answer to instruction of the operation to presentation means when receiving instruction of the operation from the instruction input means

a presentation means receiving the management information from the presentation information management means, before acquiring information to be presented. for the user from the device data storage means according to the management information in order to present; and

a device data storage means storing therein information which the device should maintain,

when the presentation information management means receives instruction of suspension from the suspension / resumption management means, outputting the management information to the user individual information storage means, while when the presentation information management means receives instruction of resumption from the suspension / resumption management means, updating storage content according to the management information received from the user individual information storage means, as claimed in claim 6.

Claims 8, 12, and 14 are objected to as being dependent from the objected to dependent claim 6.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents are cited to further show the state of art with respect to methods and systems of information processing and data/pattern matching in general:

Patent No.	Issued to	Cited for teaching
US 5,848,231	Teitelbaum et al	System configurations and pattern matching.
US 5,815,252	Price-Francis	Identification process using fingerprinting.

7. Any inquiries concerning this communication or earlier communications from the examiner should be directed to Tony Mahmoudi whose telephone number is (703) 305-4887. The examiner can normally be reached on Mondays-Fridays from 08:00 am to 04:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici, can be reached at (703) 305-3830.

tm

July 23, 2003

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